Date: December 21, 2006

No. of Sheets (including cover): 7

TO: Board of Patent Appeals and Interferences

Examiner Tu X. Nguyen

Phone:

Fax: (571) 273-8300

GENTRAL FAX GENTER
BEGEIVER

DEC 2 1 2006

FROM: Anne Vachon Dougherty, Esq.

3173 Cedar Road

Yorktown Hts, NY 10598 Phone: (914) 962-5910 Fax: (914) 962-1973

Subject: Patent Application

Docket No: YOR920000632US1

Serial No: 09/664,479

## Comments:

Notice of Appeal and Pre-Appeal Brief Request for Review attached

THE CONTENTS OF THIS TRANSMISSION ARE CONFIDENTIAL AND PRIVILEGED AND ARE INTENDED SOLELY FOR VIEWING BY THE ADDRESSEE. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE CONTACT TRANSMITTER AT THE ABOVE-LISTED TELEPHONE NUMBER. DO NOT RE-TRANSMIT!

## CENTRAL FAX GENTED BECEIVED

PTO/S8/31 (04-05)

PTO/S8/31 (04-05)

PTO/S8/31 (04-05)

PTO/S8/31 (04-05)

ONB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Information unless it displays a valid OMB control number.

| Under the Paperwork Reduction Act of 1995, no persons are required to respon  | d to a collection o                   | Docket Number (C | optional)                 |
|---|---------------------------------------|------------------|---------------------------|
| NOTICE OF APPEAL FROM THE EXAMINER TO   |                                       |                  |                           |
| THE BOARD OF PATENT APPEALS AND INTERFERENCES   |                                       | YOR920000632USI  |                           |
|   |                                       |                  |                           |
| I hereby certify that this correspondence is being facsimile transmitted  | In re Application of                  |                  |                           |
|   | Chapman  Application Number Filed ( ) |                  |                           |
| to the USPTO or deposited with the Children sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-  | Application Number Piled 9/18/00      |                  | 1 Filed 9/1×100           |
|   |                                       |                  |                           |
| 1450° (37 CFR 1.8(a))<br>on   | For                                   |                  |                           |
| Signature Coal Vachon Blaugher  | Art Unit Examiner                     |                  |                           |
| ( ( )   |                                       | 18               | Tu X. Nguyen              |
| Typed or printed Anne Vachon Dougherty  | 26                                    | 10               | 14 2. 100,07              |
| I II III II  |                                       |                  |                           |
| Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.   |                                       |                  |                           |
| <u>\$ 500 —</u>   |                                       |                  |                           |
| The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))   |                                       |                  |                           |
| The shown above is reduced  |                                       |                  |                           |
| Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced  |                                       |                  |                           |
| by half, and the resulting fee is:  |                                       |                  |                           |
| A check in the amount of the fee is enclosed.   |                                       |                  |                           |
| Payment by credit card. Form PTO-2038 is attached.  |                                       |                  |                           |
| The Director has already been authorized to charge fees in this application to a Deposit Account.  I have enclosed a duplicate copy of this sheet.  |                                       |                  |                           |
| The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0510 I have enclosed a duplicate copy of this sheet.  |                                       |                  |                           |
|   |                                       |                  |                           |
| A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.  |                                       |                  |                           |
| Conditional information should not  |                                       |                  |                           |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  |                                       |                  |                           |
| I am the  |                                       |                  | A                         |
|   | 11                                    | me Zacho         | doublet                   |
| applicant/inventor.   |                                       |                  | /Signature                |
| assignee of record of the entire interest.  | A                                     | no Vacho         | Dougherty dorprinted name |
| See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  |                                       | Туре             | d or printed name         |
| (Form PTO/SB/96)  |                                       | 1 3 -            |                           |
| attorney or agent of record. 30 374   | (914) 962-5910                        |                  |                           |
| Registration number 30, 372 Telephone number  |                                       |                  |                           |
| 07.070.4.34   |                                       | 1 2001           |                           |
| attorney or agent acting under 37 CFR 1.34.  Registration number if acting under 37 CFR 1.34.  Date   |                                       |                  | Ports                     |
|   |                                       |                  | Date .                    |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  |                                       |                  |                           |
| NOTE: Signatures of all the inventors of background in the inventors of background inventors of background in the inventors |                                       |                  |                           |
|   |                                       |                  |                           |
| *Total of forms are submitted.  |                                       |                  |                           |

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to fits (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to compete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any competes to the amount of time you require to compete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. PO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/27/2006 HDEMESS1 00000016 500510 09664479

01 FC:1401 500.00 DA